

## REMARKS

The continued allowance of claims 3 and 7 is noted with appreciation.

As was noted in the previous response, the rejection of claims 1-9 under 35 U.S.C. 112, second paragraph, was overcome at least in part by amending claim 1 to refer to "an introduction of a 200kHz GSM-type network into a TDMA system". Thus, the phrase "the introduction of a 200kHz GSM-type network" does not currently appear in claim 1.

Without admitting that the claims are unclear or fail to succinctly point out and distinctly claim the subject matter of this invention, a number of claims have been amended to even further the claim language. As an example, claim 1 now recites that "frames comprising a plurality of sequentially numbered timeslots", and that rotating control channels belonging to a serving time group occurs "over non-sequential, alternate timeslot numbers within a frame". Claim 5 was amended in a similar fashion.

In addition, claim 2, and other somewhat similar claims, were amended to recite that the rotation occurs "over odd timeslot numbers in a repeating sequence given as 7, 5, 3, 1, 7, 5,..., ", and to remove the "etc." previously stated at the end of the claimed sequence.

These merely clarifying amendments are deemed to be fully responsive to the Examiner's reasons for rejection under 35 U.S.C. 112, second paragraph, and to render the rejection moot.

Further, the entry of these merely clarifying amendments is respectfully requested, as no new issues are presented, and no further searching would be required on the part of the Examiner.

Claims 1-14 should be free of rejection under 35 U.S.C. 112, second paragraph.

Further in this regard, it is submitted that the purported points of unclarity noted by the Examiner could have instead been noted as objections to the claim language, as opposed to rejections under

35 U.S.C. 112, second paragraph. As such, it is submitted that the foregoing amendments were not made for a reason related to patentability, and are merely of a cosmetic nature. This being the case, the full range of equivalents for all elements of the amended claims should remain intact.

Further, per the Examiner's statement in section 10, claim 12 is deemed to be in condition for allowance. Also, claim 14 has been amended to include the subject matter of amended claim 13, and is thus also deemed to be in condition for allowance, per the Examiner's statement in section 11.

Claims 1, 2, 4-6, 9, 10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by the document "3-Carrier Compact Proposal", 5/17-19, 1999, Paris, cited by the Applicants (hereafter referred to as the "3-Carrier Compact Proposal"). This continuing rejection of the claims over this document is respectfully disagreed with, and is traversed below.

The Examiner again notes some superficial similarities between the claimed invention and the 3-Carrier Compact Proposal, such as the use of a 52-multiframe and time groups. However, the Examiner goes on to equate the description at sub-paragraph 2 of page 4, and sub-paragraph 6 at page 5 of the 3-Carrier Compact Proposal with the claimed subject matter "rotating control channels belonging to a serving time group over every other timeslot number" found in the independent claims 1 and 5. It is again respectfully submitted that this is simply not the case.

First, sub-paragraph 2 is believed to be found on page 2, and provides an overview of the proposed 3-Carrier Compact Proposal. Rotation *per se* is not mentioned in sub-paragraph 2. Sub-paragraph 6 (page 5) simply states that "different time groups have their common control channels on different timeslots". Rotation of timeslots *per se* is not mentioned in sub-paragraph 6. In fact, a mention of a rotation of timeslots or timeslot number is not found in the document 3-Carrier Compact Proposal, nor is it illustrated in the Figures found in the Appendix. See, for example, sub-paragraph 4 on page 3, that refers to Figures 2 and 3 of Appendix A, which shows that different time groups share the same frequency, "but split the timeslots for control signaling". It is instructive to then compare Figs. 2 and 3 of Appendix A of the 3-Carrier Compact Proposal

with, for example, Figures D.5, D.6 and D.7 of Appendix A of the instant patent application, where the rotation of control channels is actually shown. No similar rotation of control channels "over every other timeslot number" is depicted in the 3-Carrier Compact Proposal.

This being the case, it should be clear as well that the 3-Carrier Compact Proposal does not disclose subject matter in the second paragraph on page 4, or paragraph 8 on page 5, that would anticipate the subject matter of claims 2, 4 and 8, as these claims further define the rotation that is clearly not disclosed or suggested by the 3-Carrier Compact Proposal.

In the Response to Arguments section of the most recent office action the Examiner refers to a statement in the 3-Carrier Compact Proposal to attempt to refute the Applicant's previous arguments regarding the lack of mention of rotation of time slots in the 3-Carrier Compact Proposal.

**It is pointed out that "effective 3/9 reuse" is a reference to an effective 3/9 frequency reuse pattern for control channel signaling, with an actual 1/3 frequency reuse pattern used for traffic channels, as is made clear when reading, for example, the Abstract (page 1) of the 3-Carrier Compact Proposal, as well as page 2, lines 22-27, and page 3, lines 13-18, of the 3-Carrier Compact Proposal.**

**The references in the 3-Carrier Compact Proposal to 3/9 frequency reuse and 4/12 frequency reuse do not, however, constitute a disclosure of, as in claim 1 for example, "rotating control channels belonging to a serving time group over non-sequential, alternate timeslot numbers within a frame".**

The Examiner is respectfully requested to reconsider and remove the final rejection of claims 1, 2, 4-6, 9, 10 and 13 under 35 U.S.C. 102(e) based on the 3-Carrier Compact Proposal, and to allow all of the pending claims 1-14 as now presented for examination. An early notification of the allowability of all of claims 1-14 is earnestly solicited.

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